

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL R. SOUTH,	:	
Petitioner,	:	
	:	CIVIL ACTION 11-0183-CG-M
v.	:	
	:	CRIMINAL ACTION 08-0031-CG-M
UNITED STATES OF AMERICA,	:	
Respondent.	:	

ORDER

After due and proper consideration of all pleadings in this file, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that Petitioner's Motion to Vacate (Doc. 89) be **DENIED** and that this action be **DISMISSED**. It is further **ORDERED** that, should Petitioner move for a certificate of appealability, it be **DENIED** for the reasons set forth in the Report and Recommendation, and that he is not entitled to appeal in forma pauperis.

DONE and ORDERED this 3rd day of April, 2012.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE